

Message

From: Bryant, Renee [bryant.renee@epa.gov]
Sent: 6/24/2021 6:25:41 PM
To: Hamilton, Brian [Hamilton.Brian@epa.gov]; Rowsey, Kevin [rowsey.kevin@epa.gov]; Bennett, James [bennett.james@epa.gov]; Rectenwald, David [Rectenwald.Dave@epa.gov]; Hancharick, Ryan [Hancharick.Ryan@epa.gov]
CC: Okorn, Barbara [Okorn.Barbara@epa.gov]
Subject: RE: Seneca Nation and Draft Permits

I think we are all learning as we go, and it was great that we were able to meet, clarify things, and move forward.

Thanks again Brian! We will miss you but know we are in good hands.

Enjoy your time with the little one.

Take care.

Renee Bryant (she/her)
Source Water Protection Team Lead
EPA Region 3
215-814-2137
<https://www.epa.gov/sourcewaterprotection>

From: Hamilton, Brian <Hamilton.Brian@epa.gov>
Sent: Thursday, June 24, 2021 1:22 PM
To: Rowsey, Kevin <rowsey.kevin@epa.gov>; Bryant, Renee <bryant.renee@epa.gov>; Bennett, James <bennett.james@epa.gov>; Rectenwald, David <Rectenwald.Dave@epa.gov>; Hancharick, Ryan <Hancharick.Ryan@epa.gov>
Cc: Okorn, Barbara <Okorn.Barbara@epa.gov>
Subject: RE: Seneca Nation and Draft Permits

No, thank you all and again I apologize for my foible today during the meeting. I blame the pandemic because if we were in person you could have kicked me under the table for a "shut up!" nudge. Nonetheless, it worked out and maybe for the better as we broached issuing the public notices with them and they appear to be ok with it.

---Brian

From: Rowsey, Kevin <rowsey.kevin@epa.gov>
Sent: Thursday, June 24, 2021 1:10 PM
To: Bryant, Renee <bryant.renee@epa.gov>; Hamilton, Brian <Hamilton.Brian@epa.gov>; Bennett, James <bennett.james@epa.gov>; Rectenwald, David <Rectenwald.Dave@epa.gov>; Hancharick, Ryan <Hancharick.Ryan@epa.gov>
Cc: Okorn, Barbara <Okorn.Barbara@epa.gov>
Subject: RE: Seneca Nation and Draft Permits

I think that looks excellent Brian. Thank you so much for all of your help!

Kevin Rowsey

Source Water & UIC Section
Water Division
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Phone: 215.814.5463

From: Bryant, Renee <bryant.renee@epa.gov>
Sent: Thursday, June 24, 2021 12:44 PM
To: Hamilton, Brian <Hamilton.Brian@epa.gov>; Bennett, James <bennett.james@epa.gov>; Rowsey, Kevin <rowsey.kevin@epa.gov>; Rectenwald, David <Rectenwald.Dave@epa.gov>; Hancharick, Ryan <Hancharick.Ryan@epa.gov>
Cc: Okorn, Barbara <Okorn.Barbara@epa.gov>
Subject: RE: Seneca Nation and Draft Permits

Hi Brian,

Thanks for doing this in such an expeditious fashion, especially since this your last day working for a while!

I am good with the language but will defer to Jim and/or Kevin to make sure I haven't missed any finer points they would like to communicate.

Thanks once again for helping to clarify this process on both sides.

Renee Bryant (she/her)
Source Water Protection Team Lead
EPA Region 3
215-814-2137
<https://www.epa.gov/sourcewaterprotection>

From: Hamilton, Brian <Hamilton.Brian@epa.gov>
Sent: Thursday, June 24, 2021 12:30 PM
To: Bennett, James <bennett.james@epa.gov>; Bryant, Renee <bryant.renee@epa.gov>; Rowsey, Kevin <rowsey.kevin@epa.gov>; Rectenwald, David <Rectenwald.Dave@epa.gov>; Hancharick, Ryan <Hancharick.Ryan@epa.gov>
Cc: Okorn, Barbara <Okorn.Barbara@epa.gov>
Subject: Seneca Nation and Draft Permits

I called Cliff, he was understanding of the confusion. Here is what I detailed to him.

- We traditionally have not shared draft permits prior to receiving formal comments because we want to assure the Nation that we are respecting the consultative process and want to ensure comments are considered prior to drafting a permit
- I detailed how during the meeting I forgot that the Nation has the application and was confused as to what they would be able to offer comments, so that is why I instigated the draft permit transmittal request
- I detailed to Cliff that the development of a draft permit does not mean the consultative process is complete and EPA welcomes comments on the draft permit for consideration and changes can still be applied to the draft permit

- I told Cliff that Sandstone and Catalyst draft permits would be transmitted to the Nation soon and shortly after we transmit to the Nation they would be publicly noticed (I said around 1 week later)
- Cliff was amenable to this and understood the confusion. He said he will verbally update the Seneca Nation consultation group on what I relayed and said he will look for the Sandstone and Catalyst draft permits soon and understands they will be public noticed shortly after the transmittal and changes can still be made
- Cliff also mentioned with Sandstone he feels the Nation is just more interested in learning more about ERO, doesn't know if they will offer comments
- I offered to cliff that I will send a follow-up message detailing the next steps. Below is a draft message. Please let me know if it works for you.

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Cliff,

Thank you for helping to coordinate the consultation meeting today and taking my call afterwards. As we discussed, EPA will transmit the DRAFT Class II UIC permits for Catalyst and Sandstone shortly. We want to ensure the Seneca Nation understands these permits are in DRAFT form and not finalized and we are committed to the contained consultation process and possible submission of comments and subsequent response to those comments. After transmitting these DRAFT permits to the Seneca Nation we will proceed with issuing a public notice on the DRAFT permits to gain perspective from the public. Changes to the DRAFT permit can still occur and again, we welcome submission of comments from the Seneca Nation and we will continue to work through the consultation process. Please let Barb Okorn know if you have any questions or comments on this.

Take care,

--Brian

Brian Hamilton

Tribal Program Coordinator

U. S. Environmental Protection Agency – Region III

1650 Arch Street (3RA10)

Philadelphia, PA 19103

215-814-5497

Hamilton.brian@epa.gov